

PREET BHARARA

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TAREK YOUSSEF HASSAN SALEH,

Plaintiff,

-against-

UNITED STATES OF AMERICA

Defendant.

Case No. 12 Civ. 4595 (BSJ)

**DECLARATION OF ANNE E. GANNON**

I, Anne E. Gannon, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I hold the position of Senior Attorney in the Office of Principal Legal Advisor (“OPLA”), an office within the Department of Homeland Security (“DHS”) which provides legal advice and services to U.S. Immigration and Customs Enforcement (“ICE”), the principal investigative and enforcement arm of DHS.

2. In my position as Senior Attorney in OPLA’s New York office, I represent the United States in exclusion, deportation and removal proceedings before the Executive Office for Immigration Review.

3. Since November 2010, I have been assigned to represent the United States in the removal proceeding concerning Tarek Youssef Hassan Saleh, A97 143 708, currently pending before Immigration Judge Margaret McManus.

4. I have participated in numerous hearings in this matter. In 2012 alone, there have been five hearings, on January 26, April 3, May 31, July 26, and August 7. At each of these hearings, Mr. Saleh has presented to Immigration Judge McManus for her consideration his claim that the Government destroyed an audio recording of his interview with immigration officials in 2007. Mr. Saleh has also presented to Immigration Judge McManus for her consideration his claims that that the FBI and immigration officials have conspired to fabricate evidence to ensure that his I-485 application for adjustment of status will be denied and that he will be ordered removed, in order to retaliate against Mr. Saleh for not cooperating with the FBI.

5. Because hearings before the Immigration Judge are recorded only, there is no transcript available to be submitted to the Court to evidence the above.

Dated: New York, New York  
September 12, 2012

By:

  
ANNE E. GANNON